(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization International Bureau



(43) International Publication Date 22 January 2004 (22.01.2004)

PCT

(10) International Publication Number WO 2004/007691 A3

(51) International Patent Classification⁷: 15/52, 15/82, A01H 5/00

C12N 15/29,

(21) International Application Number:

PCT/US2003/022295

(22) International Filing Date: 17 July 2003 (17.07.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/396,539 60/401,579 17 July 2002 (17.07.2002) US 7 August 2002 (07.08.2002) US

- (71) Applicant (for all designated States except US): SePRO CORPORATION [US/US]; 11550 N. Meridian Street, Suite 600, Carmel, IN 46032 (US).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): MICHEL, Albrecht [DE/US]; Bergseestr. 11, D-79713 Bad Sackingen (DE). SCHEFFLER, Brian, E. [US/US]; 51 CR 228, Oxford, MI 38655 (US). NETHERLAND, Michael, D. [US/US]; 713 Ironwood Drive, Carmel, IN 46033 (US). DAYAN, Franck, E. [US/US]; 512 Deer Creek Drive, Oxford, MI 38655 (US). ARIAS DE ARES, Rence, S. [AR/US]; 801 Frontage Road, Akpt. 903, Oxford, MI 38655 (US).
- (74) Agents: GANDY, Kenneth, A. et al.; Woodard, Emhardt, Moriarty, McNett & Henry LLP, Bank One Center/Tower, Suite 3700, 111 Monument Circle, Indianapolis, IN 46204 (US).

- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report:
 2. June 2005

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

2004/007691 A3 ||

(57) Abstract: Described are polynucleotides having nucleotide sequences encoding mutant plant phytoene desaturase proteins that are resistant the bleaching herbicides that act on phytoene desaturase, and related nucleic acid constructs, plants and methods.



•					
INTERNATIONAL SEARCH REPOR	RT	International application No.			
		PCT/US03/22295			
A. CLASSIFICATION OF SUBJECT MATTER IPC(7) : C12N 15/29,52,82;A01H 5/00 US CL : 435/320.1/536/23.2,23.6/800/278,300,300.1 According to International Patent Classification (IPC) or to both national classification and IPC					
B. FIELDS SEARCHED					
Minimum documentation searched (classification system followed by Gassification symbols) U.S.: 435/320.1/536/23.2,23.6/800/278,300,300.1					
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched					
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) EAST(USPAT, EPO, JPO, DERWENT); STN(Agricola, Biosis, CaPlus, Embase)					
C. DOCUMENTS CONSIDERED TO BE RELEVANT					
Category * Citation of document, with indication, where a			Relevant to claim No. 1,15-18,20-		
A LI, ZHOU-HUI et al, Cloning and characterization of desaturase, an enzyme of the carotenoid biosynthetic Vol. 30, pages 269-279, see entire document.	LI, ZHOU-HUI et al, Cloning and characterization of a maize cDNA encoding phytoene desaturase, an enzyme of the carotenoid biosynthetic pathway. Plant Molecular Biology 1996, Vol. 30, pages 269-279, see entire document.				
·					
Further documents are listed in the continuation of Box C.		family annex.			
Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance	date and not		mational filing date or priority stion but cited to understand the ortion		
"E" earlier application or patent published on or after the international filing date	considered n		claimed invention cannot be ed to involve an inventive step		
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another clustion or other special reason (as specified)	considered to combined wi	involve an inventive step ith one or more other such	documents, such combination		
"O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the	-	is to a person skilled in the ember of the same patent f			
priority date claimed	Data of mailing of the	e international secon	h renort		
Date of the actual completion of the international search 21 March 2005 (21.03.2005)	Date of mailing of the international search report APR 2005				
Name and mailing address of the ISA/US	Authorized officer Jamuelal Diebrus f				
Mail Stop PCT, Attn: ISA/US Commissioner for Patents	David H Kruse				
P.O. Box 1450	Telephone No. (571) 272-0547			
Alexandria, Virginia 22313-1450 Telephone No. (773) 305-3230					

Form PCT/ISA/210 (second sheet) (July 1998)

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/22295

Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)				
This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:				
1.		Claim Nos.: because they relate to subject matter not required to be searched by this Authority, namely:		
2.	\boxtimes	Claim Nos.: 2-14,19,26,29,32,37-44 and 48-51 because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically: Please See Continuation Sheet		
3.		Claim Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).		
Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)				
This	Internati	onal Searching Authority found multiple inventions in this international application, as follows:		
1.		As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.		
2.		As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.		
3.	Ц	As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:		
4.		No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:		
Remark on Protest The additional search fees were accompanied by the applicant's protest. No protest accompanied the payment of additional search fees.				

Form PCT/ISA/210 (continuation of first sheet(1)) (July 1998)

BEST AVAILABLE COPY

INTERNATIONAL SEARCH REPORT	PCT/US03/22295

Box I Observations where certain claims were found unsearchable 1. because they relate to subject matter not required to be searched by this Authority, namely:
Claims 2-14,19,26,29,32,37-44 and 48-51 are unsearchable becasue they are directed to specific nucleic acid and amino acid sequence, but a usable computer readable form of the sequence listing had not been sent in response to Form PCT/ISA/225 mailed 10 December 2003.

Form PCT/ISA/210 (second sheet) (July 1998)